

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop a Risk-Based Decision-Making Framework to Evaluate Safety and Reliability Improvements and Revise the General Rate Case Plan for Energy Utilities.

Rulemaking 13-11-006
(Filed November 14, 2013)

**DECISION AWARDING INTERVENOR COMPENSATION TO UTILITY
CONSUMERS' ACTION NETWORK FOR CONTRIBUTION
TO DECISION 14-12-025**

Intervenor: Utility Consumers' Action Network (UCAN)	For contribution to Decision (D.) 14-12-025
Claimed: \$ 47,141.74	Awarded: \$44,592.55 (~5.41% reduction)
Assigned Commissioner: Michel Peter Florio	Assigned ALJ: John S. Wong

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	Decision (D.) 14-12-025 adopted changes to incorporate a Risk based decision making framework into the Rate Case Plan for energy utilities' General Rate Cases (GRCs). The decision adopted procedures to provide additional transparency and participation on how the safety risks for energy utilities are prioritized by the Commission and the energy utilities, and to provide accountability for how these safety risks are managed, mitigated and minimized. To this end, the decision adopted two new GRC-related procedures, a Safety Model Assessment Proceeding (S-MAP) and a Risk Assessment Mitigation Phase (RAMP).
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	April 29, 2014	Verified.
2. Other specified date for NOI:	May 29, 2014	Verified.

3. Date NOI filed:	March 3, 2014 – see comment 1	
4. Was the NOI timely filed?		Yes, UCAN timely filed the notice of intent to claim intervenor compensation.
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	A.13-05-012	Verified.
6. Date of ALJ ruling:	10-30-13	October 10, 2013
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		Yes, UCAN demonstrated appropriate status as a customer.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.13-05-012	Verified.
10. Date of ALJ ruling:	10-30-13	October 10, 2013
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes, UCAN demonstrated significant financial hardship.
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.14-12-025	Verified.
14. Date of issuance of Final Order or Decision:	12-9-14	Verified.
15. File date of compensation request:	2-9-15.	Verified.
16. Was the request for compensation timely?		Yes, because the sixtieth day after the Decision was issued fell on a Saturday, UCAN’s filing, on the following Monday, is timely.

C. Additional Comments on Part I (use line reference # as appropriate):

#	Intervenor's Comment(s)	CPUC Discussion
1.	The OIR in R.13-11-006 noted that the NOI must be filed within 30 days of the filing of reply comments or within 30 days of a prehearing conference if one is scheduled – <i>see</i> page 19 of the OIR. Reply comments were filed on January 30, 2014 and therefore UCAN's NOI is timely.	Verified. UCAN filed the notice of intent to claim intervenor compensation prior to May 29, 2014.

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(i), § 1803(a), and D.98-04-059). (For each contribution, support with specific reference to the record.)**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>1. UCAN's efforts focused on standardization and accountability to assist the Commission and the parties in evaluating the various proposals of the energy utilities. UCAN sought a process to add transparency and participation on how safety and other proposals are prioritized and evaluated.</p> <p>UCAN noted that by using common standards, parties without significant resources will be able more easily evaluate information in a Utilities GRC filing which will help smaller parties to more meaningful participate in Commission GRC proceedings.</p>	<p>"UCAN agrees supports and strongly urges the Commission to adopt uniform standards in the utilities modeling and presentation of information in the S-MAP and RAMP filings." (UCAN opening comments, pg 3)</p> <p>"Transparency: the Commission and all interested parties should be given full access to all data and models on which the utilities, the Commission staff, and any other parties base their proposals or recommendations;</p> <p>Participatory Inclusivity: all interested parties should have a full opportunity to participate in each step of the process; and</p> <p>Accountability: the utilities should be held accountable for achieving the risk mitigation benefits they claim and for spending ratepayer money wisely and efficiently." (UCAN opening comments pg 5)</p>	Verified.

	<p>It is our intent that the adoption of these additional procedures will result in additional transparency and participation on how the safety risks for energy utilities are prioritized by the Commission and the energy utilities, and provide accountability for how these safety risks are managed, mitigated and minimized. (D.14-12-025 pg 3)</p> <p>Thus, a goal of the upcoming and future S-MAP proceedings is for the Commission to determine whether uniform and common standards can be developed for assessing, managing, mitigating, and minimizing the risks that are inherent in each energy utility's operations and services, and if so, should they be applied to some or all of the energy utilities (D.14-12-025 pg 26)</p> <p>For those parties eligible for the Commission's intervenor compensation program who don't have the internal resources to participate, those parties will need to decide whether they can afford to retain a consultant, and whether they will be able to make a significant contribution to the decision which is issued in connection with the S-MAP so that they can recover the cost of the consultant. (D.14-12-025 at page 28)</p> <p>Findings-of-Fact # 18, 19 and 21</p>	
<p>2. UCAN's comments encouraged and supported the Commission to adopt the S-MAP and RAMP proceedings and specifically to examine the issue of developing uniform standards for assessing, managing, mitigating and minimizing risk in utilities operations.</p>	<p>The purpose of the S-MAP is to allow the Commission and parties to examine, understand, and comment on the models that the energy utilities plan to use to prioritize risks and to mitigate risks. The other purpose of the S-MAP is to allow the Commission to establish the guidelines and standards for these models. (D.14-12-025 at page 21; See also, Findings of Fact: 18. 19 and 21.)</p>	<p>Verified, but we note UCAN put forth arguments that were duplicative of MGRA and TURN on this issue. This demonstrates that the parties failed to adequately coordinate on this issue, which resulted in a</p>

	<p>Workshops would be useful toward reaching a consensus about uniform or common standards. D.14-12-025 at page 27-28.</p> <p>Parties interested in participating in the S-MAP will need to decide if they have the resources and expertise to participate in the S –MAP. D.14-12-025 at page 28</p> <p>The Safety Model Assessment Proceeding (S-MAP) should be used to streamline the general rate case plan by previewing and simplifying the review of the utilities safety proposals by Commission staff and interveners prior to the utilities GRC filing. (UCAN opening comments pg 5)</p> <p>UCAN agrees supports and strongly urges the Commission to adopt uniform standards in the utilities modeling and presentation of information in the S-MAP and RAMP filings. (UCAN Opening comments, pg 3)</p> <p>UCAN believes that the standards to be set in this OIR should require numbers representing the cost, purpose, and risk mitigation features of each IOU filing for the S-MAP and RAMP, so that interveners and Commission staff could compare similar risk mitigation measures. (UCAN opening comments pg 5)</p> <p>In evaluating each IOU’s safety related risks and mitigation proposals, having uniformity in the modeling with common risk assessment elements will help ease that evaluation by the</p>	<p>duplicative effort.¹</p>
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¹ See Pub. Util. Code §1801.3(f) (stating that intervenor compensation program articles “shall be administered in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.”); see also Decision (D.) 15-05-016.

	<p>Commission and the parties and help make for a more efficient proceeding. (UCAN Reply Comments at page 3)</p> <p>Findings-of-Fact #18, 19 & 21</p>	
<p>3. UCAN also advocated that the S-MAP proceeding should not be a onetime proceeding.</p>	<p>Having a one-time S-MAP proceeding would certainly help the Commission develop current risk assessment methodologies, however, risk is not static and neither is an IOU's preparedness to meet those ever changing risks. (UCAN reply comments at page 4)</p> <p>UCAN urges the Commission to have the S-MAP be a continuing proceeding. (UCAN reply comments at page 4)</p> <p>On the topic of whether there should be future S-MAP proceedings, we conclude that such proceedings should be held at least two times, at an interval of three years. A recurring proceeding is needed initially to analyze and understand each energy utility's approach to assessing, managing, and mitigating their risks, to refine such models as we work through a utility's GRC cycle, and to develop and refine uniform and common standards. (D.14-12-025 at page 27)</p>	<p>Verified, but we note UCAN put forth arguments that were duplicative of CBE, MGRA, and TURN on this issue. This demonstrates that the parties failed to adequately coordinate on this issue, which resulted in a duplicative effort.</p>
<p>4. UCAN provided extensive comments supporting the inclusion of the verification and accountability reports. The Commission recognized the need to require the utilities to provide accountability information and included these reports in its final order</p>	<p>Finally, UCAN fully supports the verification process envisioned in the RSP. The Risk Mitigation Accountability Report would measure the costs and benefits of actual risk mitigation programs, and the Risk Spending Accountability Report would examine and audit a report to be filed by each utility on funding requested and spent on each approved risk mitigation project. UCAN would ask that each utility be required to file such a report using a standardized format common to all utilities for similarly approved risk mitigation projects. UCAN opening comments pg 3)</p>	<p>Verified, but we note UCAN put forth arguments that were duplicative of CBE on this issue. This demonstrates that the parties failed to adequately coordinate on this issue, which resulted in a duplicative effort.</p>

	<p>On the Risk Accountability Report UCAN noted the following: UCAN believes that requiring this report is a good idea and would propose that the first S-MAP proceeding consider the proper way to evaluate and compare the GRC funded risk mitigation measures, examining the cost to the benefit provided to the ratepayer as compared to other proposals considered but not funded in the GRC. (UCAN reply comments at page 5)</p> <p>Finding-of-Fact #27, Conclusions-of-Law 15</p>	
<p>5. UCAN argued that the Commission staff should not issue a report on the utilities RAMP filing as undue weight may be given to the report. While the Commission did not adopt this recommendation, the Commission did recognize that in using the staff report, the parties due process rights should be protected</p>	<p>While UCAN supports this concept, we are concerned that the staff report envisioned for the RAMP phase would be given too much weight for any safety related project the report identifies as being needed. The concern is that the staff report would be establishing a “need” for any “risk” identified in the report, and therefore that identified need deserves funding to mitigate that risk. (UCAN opening comments at page 3)</p> <p>As noted in UCAN’s opening comments, we are concerned that undue weight will be given to the staff report for an electric utilities RAMP filing where an identified safety risk by staff is accorded such weight that the Commission assumes that a need to mitigate that risk has been established. (UCAN reply comments at page 6)</p> <p>The objective of this staff report is to assess the utility’s risk assessment procedures, and to assess the technical merits of the utility’s proposal D.14 -12-025, at page 38.</p> <p><u>In considering how the SED staff report is to be used, the due process rights of the parties should be preserved.</u></p> <p>(Emphasis added)</p>	<p>Verified.</p>

	D.14-12-025 at page 39	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?²	yes	Verified.
b. Were there other parties to the proceeding with positions similar to yours?	Yes – on some issues	Verified.
c. If so, provide name of other parties: CUE, TURN, MGRA, ORA and CBE		Verified.
d. Intervenor's claim of non-duplication: <p>External duplication issues:</p> <p>This proceeding is unique in that some advocates took differing approaches to the presentation of their arguments even though they were advocating similar positions. UCAN participated in three multi-party conference calls hosted by MGRA to discuss party positions, and discuss upcoming issues in the proceeding. As with many parties, UCAN was aligned with some parties in some aspects of our presentation, but not others.</p> <p>The issues presented here did not lend themselves to an easy division of work between aligned parties as no two presentations in this OIR were completely alike. UCAN and many other active parties attempted to identify issues and coordinate aligned positions. UCAN believes that our presentation on the issues we advanced were either unique or when duplication was unavoidable, added a unique perspective not presented by other parties.</p> <p>Internal duplication issues:</p> <p>In this compensation request, UCAN has attempted to minimize hours between the two attorneys who have worked in this proceeding. As can be seen through our time sheet, there are instances where Mr. Homec lists hours for an activity involving Mr. Kelly that Mr. Kelly does not list. UCAN has attempted to minimize costs in this filing by not claiming hours for Mr. Kelly for various activities even though some of those activities were performed by both attorneys. For example, Mr. Kelly is not listing any hours for writing our opening comments on to the revised staff straw proposal in May 2014 even though both he and Mr. Homec worked on those comments. Nor is Mr. Kelly</p>		<p>Verified, but further coordination would have reduced duplication. <i>See</i> Part II.A, above (noting issues where duplicative views were presented).</p> <p>The Commission has removed 15% of the intervenor's claimed hours for each issue where duplication occurred.</p>

² The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

seeking any time for offering comments and reply comments on the proposed decision. On the other hand both Mr. Kelly and Mr. Homec are claiming hours for attending the Commission's workshops. Because the workshops formed the basis for the Revised Staff Straw Proposal UCAN believed that both attorneys needed to attend, to learned from and ask questions of the panelists to better inform UCAN's position on the issues of this proceeding.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

a. Intervenor's claim of cost reasonableness:	CPUC Discussion
<p>In this proceeding the Commission opened an OIR to find effective ways to prioritize safety through the GRC process. UCAN has been active throughout this proceeding UCAN has supported the Commission's efforts in advocating for the adoption of the S-MAP, RAMP and verification recommendations in the Revised Staff Straw Proposal. Perhaps the biggest issue UCAN fought for was the adoption of uniform standards in the utilities modeling and presentation of information in the S-MAP and RAMP filings. UCAN also noted caution when considering any staff report of a RAMP filing so as to not give undue weigh to findings made in the report, especially if the issues identified were to be litigated in the GRC. The final decision acknowledged the importance of these issues.</p> <p>UCAN's compensation request for this proceeding is \$ 47,141.74. This amount represents the efforts of 2 attorneys in a proceeding that took approximately 1 year to conclude and involved comments and reply comments on the OIR, 3 days of workshops, redlined comments on a draft straw proposal, comments and reply comments on the Revised Staff Straw Proposal, comments and reply comments on the second round issues, and finally comments and reply comments on the PD. Given the issues UCAN advocated for, and the amount of work produced in this proceeding, UCAN's request is reasonable.</p>	Verified.
<p>b. Reasonableness of hours claimed: As noted above, UCAN participated in three coordination sessions with other parties to try to minimize effort and coordinate issues. While other parties and UCAN advocated along similar lines, UCAN believes that we were able to pare down the scope of our work where we were able to offer substantive comments and brought to the Commissions' attention issues that might not have been considered absent our participation.</p> <p>UCAN would note that the compensation we request is less than half of that which was anticipated when we filed our NOI. Also, in preparing this</p>	Verified. But <i>see</i> CPUC Disallowances and Adjustments, below.

<p>compensation request, UCAN's attorneys are not seeking compensation for all the hours expended in this proceeding and are thereby donating time spent on issues not raised, although anticipated at the start of this OIR.</p> <p>For example, Martin Homec contacted other states' regulatory commissions to determine how they processed the regulated utility company's general rate case applications. The goal was to find ways to reduce the time required to evaluate applications for rate increases associated with utility programs. Some states, Indiana and Michigan, used optional application procedures for the utility companies to provide information in a standard format to get a decision within a limited period of time. No agency had adopted procedures specifically addressing risks and safety review for all general rate case applications. The Edison Electric Institute was also contacted and its staff had contacted the state regulatory commissions to determine general rate case processing procedures. There was no formal study but a copy of the report sent to UCAN to compare with our information gathering report.</p> <p>Martin Homec then asked the CPUC's Policy & Planning Division whether they had similar information. The division director said that they were interested in seeing the survey results and Martin Homec sent a copy to her.</p> <p>Gathering this information took 64 hours to produce yet UCAN is asking for very little of this time to be compensated. One reason why UCAN strongly supported TURN's request for an extended examination of the issues saved for the second round, including asking for additional workshops, was to make use of this information. As the Commission chose to limit Round 2 to comments only, UCAN did not believe this process afforded us the opportunity to properly present the information we had developed.</p> <p>Finally, in UCAN's timesheets for Don Kelly the first two entries which provide for 2.6 hours to review Mr. Shames' filing on the OIR and 1.2 hours to review SDG&E's filing are dated "Jan ?." No specific date was recorded for these entries. However, UCAN seeks to have these hours compensated but we are aware that the Commission may strike these hours due to the lack of proper documentation.</p>	
<p>c. Allocation of hours by issue:</p> <p>UCAN has divided the issues in this proceeding into 9 categories:</p> <ol style="list-style-type: none"> 1. General preparation – 13.75% 2. OIR comments and reply comments including issues of both safety 	<p>Verified.</p>

<p>and setting common standards in the presentation of IOU information. – 19.76%</p> <p>3. Workshops, including redlined comments on revised straw proposal (RSP) – 19.64%</p> <p>4. RSP comments and reply comments (includes issues such as S-MAP, RAMP, Verification reports). – 15.04%</p> <p>5. 2nd round comments – other issues for revising the Rate Case Plan – 19.27%</p> <p>6. PD comments – 2.45%</p> <p>7. Coordination – 2.88%</p> <p>8. NOI and intervenor compensation preparation – 7.21%</p> <p>One area of UCAN's hours not broken out by issue is hours for travel from San Diego to San Francisco for both the workshops and the Prehearing Conference. Should the Commission need to include those hours by issue, UCAN would ask those 6 hours be allocated to the workshops category and 9 hours be allocated to revised straw proposal. Since the PHC set the schedule and the issues based on the Revised Straw Proposal, UCAN is allocating time to attend the PHC to that category.</p>	
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B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hour s	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$ [1] [2]	Total \$
Donald Kelly	2014	49.6	\$335	D.14-08-027; Plus COLA adjustment, <i>see</i> ALJ -303 and Comment 3 below	\$16,616	47.88	\$335.00	16,039.80
Martin Homec	2014	101.6	\$250	See comment 4 below	\$25,400	97.65 [3]	\$240.00	23,436.00
Subtotal: \$ 42,016						Subtotal: \$ 39,475.80		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Donald Kelly Travel time	2014	15	\$167.5	D.14-08-027	\$2,512.5	15	\$167.50	2,512.50
Subtotal: \$2,512.50						Subtotal: \$2,512.50		

INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Donald Kelly	2015	9.95	\$160	D.14-08-027	\$1,666.62	9.95	\$167.50	1,666.63
Martin Homec	2015	1.8	\$125	See Comment 4 below	\$225	1.8	\$120.00	216.00
Subtotal: \$1,891.62						Subtotal: \$1,882.63		
COSTS								
#	Item	Detail			Amount	Amount		
	Expenses	See itemized documents in attachment 3, see also comment#1			\$721.62	\$721.62		
TOTAL REQUEST: \$ 47,141.74						TOTAL AWARD: \$44,592.55		
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate.</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ³		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
Donald Kelly		December 5, 1990		151095		No		
Martin Homec		May 31, 1979		85798		No		

³ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

C. Intervenor's Comments on Part III:

Comment #	Intervenor's Comments
1.	UCAN's advocate stayed with relatives in Santa Clara for the March 2014 workshops; therefore we are not seeking reimbursement for lodging. However, UCAN's advocate did rent a car to travel from Santa Clara to San Francisco and UCAN is seeking reimbursement for 3 days of those expenses, including parking in San Francisco to attend the Commission workshops.
2.	<p>Rate Justification for Donald Kelly:</p> <p>Mr. Kelly is seeking a rate of \$335 which is based on his previously approved rate of \$310 an hour set in D.14-08-027 for work done in 2013 and 2014 before ALJ – 303 became effective. UCAN also requests that Mr. Kelly be given a COLA of 2.58% which, when rounded to the nearest \$5.00 raises his rate to \$320. UCAN then requests that Mr. Kelly be given a 5% step increase raising the rate to \$335.00.</p>
3.	<p>Rate Justification for Martin Homec: Mr. Homec's original rate as an attorney was set in 2009 in D.09-05-012. In that decision the Commission noted Mr. Homec's lack of legal experience before the Commission and set his rate at \$175 an hour which was the mid-range of attorneys with 0-2 years experience in 2008. In that decision the Commission noted:</p> <p><i>"Homec has an undergraduate degree in Physics from the University of California (1970) and a law degree from the University of San Francisco (1975). He was employed as a regulatory analyst at the California Public Utilities Commission from June 1983 to October 2007. He also worked as a volunteer lawyer for the Bar Association from 1987 to 2000, representing appellants before the Immigration Appeals Board and plaintiffs in employment law at the U.S. District Court.:" D.09-05-012 at page 16.</i></p> <p><i>"Homec has no experience in practicing law before the Commission. His experience as an attorney is limited to part-time volunteer work in the fields of immigration and employment law, which ended in 2000. In light of Homec's lack of recent and relevant legal experience, we will set his 2008 hourly rate as an attorney at \$175, which mid-range for attorneys with 0 - 2 years of experience." D.09-05-012 at page 17</i></p> <p>Mr. Homec's last Commission approved rate of \$190.00 an hour was set in 2012 in D.13-07-045 which consisted of COLA adjustments from the rate set in D.09-05-012. Since 2009 when Mr. Homec's rate was first set he has been a regular practitioner before the Commission and he has gained experience.</p> <p>The Commission has approved COLA increases for attorneys in 2013 of 2% and 2014 of 2.58%. When applied to Mr. Homec's presently set rate in the 0-2 year experience range his rate would be \$195 an hour in 2013, and \$200 an hour for 2014. However, when considering that Mr. Homec's rate when set in 2009 was for an attorney with 0-2 years experience and given that Mr. Homec has practiced before the Commission on a regular basis since that time, Mr. Homec should receive a step increase as well as the COLA adjustments.</p>

	<p>In 2014, the year for when the work for this request was performed, the reimbursement rate for attorneys with 5-7 years experience was between \$300-\$320 an hour. UCAN is not asking for that big of a rate increase, however we point out the range to show that an attorney who has been practicing before the Commission for the last several years should not have his rate remain set based on the 0-2 year experience range. For attorneys with 3-4 years experience the range for attorney reimbursement for 2014 was between \$215 and \$250 an hour.</p> <p>UCAN is asking that the Commission consider raising the level of compensation for Mr. Homec to \$250 an hour. This rate would set Mr. Homec's reimbursement at the upper range of the 3-4 year experience level but not as high as an attorney in the 5-7 year experience range of \$300-\$320 an hour even though Mr. Homec has been practicing before the Commission for that length of time. UCAN believes that this request is reasonable since Mr. Homec has never had a step increase, and is entitled to the COLA adjustments to his rate set in 2012. We urge the Commission to approve this rate for Mr. Homec.</p>
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D. CPUC Disallowances and Adjustments:

Item	Reason
[1]	<p>The Commission approves Kelly's rate of \$335 for 2014. In Resolution ALJ-308, the Commission elected to not adopt a cost-of-living adjustment for 2015. As such, Kelly's 2015 rate remains set at \$335.</p> <p>The Commission adopts a rate of \$240 for Homec in 2014, which was calculated by applying all available cost-of-living adjustments to Homec's established rate plus the available 5% step-increases for each experience range and rounding to the nearest five-dollar increment. Homec's rate remains set at \$240 in 2015.</p>
[2]	<p>For the duplication discussed above, the Commission removed 15% of UCAN's hours for RevSP [Revised Straw Proposal], which resulted in the following disallowances: 1.725 hours from Kelly's 2014 claim and 1.95 hours from Homec's 2014 claim.</p>
[3]	<p>Homec's timesheet indicates 2.0 hours claimed that did not contribute to the proceeding: 2 hours on 11/21/14 for "D Kelly phoned asked for more detail on comments, so I sent an e-mail and promised [sic.] more later; Due on Nov 23". The Commission disallows the 2 hours claimed.</p>

PART IV: OPPOSITIONS AND COMMENTS

**Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (see § 1804(c))**

A. Opposition: Did any party oppose the Claim?	No.
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B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes.
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FINDINGS OF FACT

1. UCAN has made a substantial contribution to D.14-12-024.
2. The requested hourly rates for UCAN's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$44,592.55.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Utility Consumers' Action Network shall be awarded \$44,592.55.
2. Within 30 days of the effective date of this decision PacifiCorp, Pacific Gas and Electric Company, San Diego Gas & Electric, Liberty Utilities LLC, Southern California Edison Company, Southern California Gas Company, and Southwest Gas Company shall pay Utility Consumers' Action Network their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2014 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 25, 2015, the 75th day after the filing of Utility Consumers' Action Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX A

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1412025		
Proceeding(s):	R1311006		
Author:	ALJ Wong		
Payer(s):	PacifiCorp, Pacific Gas and Electric Company, San Diego Gas & Electric, Liberty Utilities (CalPeco Electric) LLC, Southern California Edison Company, Southern California Gas Company, and Southwest Gas Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Utility Consumers' Action Network (UCAN)	02/09/2015	\$47,141.74	\$44,592.55	No.	See Disallowances and Adjustments, above.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Donald	Kelly	Advocate	UCAN	\$335.00	2014	\$335.00
Donald	Kelly	Advocate	UCAN	\$320.00	2015	\$335.00
Martin	Homec	Attorney	UCAN	\$250.00	2014	\$240.00
Martin	Homec	Attorney	UCAN	\$250.00	2015	\$240.00

(END OF APPENDIX A)